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PTO/SB/64 (10-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Docket Number (Optional)

014518-0261607

First named inventor: MICHAEL A. GIARDELLO

Application No.: 09/312,811

Art Unit: 1713

Filed: 05/17/1999

Examiner: Testkin, Fred M.

Title: POLYOLEFIN COMPOSITIONS OPTIONALLY HAVING VARIABLE TOUGHNESS AND AND/OR

HARDNESS

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions

Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1.Petition fee Small entity-fee \$ (37 CFR 1.17(m)). Applicant claims sr	nall entity status. See 37 CFR 1.27.
X Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m)) 2. Reply and/or fee	(Previously paid on October 4, 2006))
A. The reply and/or fee to the above-noted Office action in the form of Amendment and Request for Continued Examination	(identify type of reply):
has been filed previously on October 4, 2006 is enclosed herewith.	
B. The issue fee and publication fee (if applicable) of \$ has been paid previously on is enclosed herewith.	·

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Terminal disclaimer with disclaimer fee		
V 0: 4L:4:15. /- : : :	an another lune 9, 1005, as terminal disclaimes is required	
X Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.		
A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ for a small entity or \$	
for other than a small entity) disclaiming the required period of time is enclosed herewith (see		
PTO/SB/63).		
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and		
Trademark Office may require additional information if there is a question as to whether either the		
abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c),		
subsections (III)(C) and (D)).]	WARNING	
WARNING: Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may		
contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card		
numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by		
the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them		
to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication		
	compliance with 37 CFR 1.213(a) is made in the application) or issuance	
of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-		
2038 submitted for payment purposes are not retained	in the application file and therefore are not publicly available.	
Windstaller	5Feb07	
Signeture	Date	
	20042	
David H Jaffer	32,243	
Typed or printed nam	e Registration Number, if applicable	
PILLSBURY WINTHROP SHAW PIT	TMAN LLP 650-233-4510	
Address	Telephone Number	
Intellectual Property Gr P.O.Box 10500, McLean, VA		
Address		
Enclosures: Fee Payment		
<u> </u>	•	
Reply		
Terminal Disclaimer Form		
Additional sheets containing statements establishing unintentional delay		
Other:	•	
	ING OR TRANSMISSION [37 CFR 1.8(a)]	
I hereby certify that this correspondence is being: V Deposited with the United States Postal Service on the date shown below with sufficient		
postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for		
Patents, P. O. Box 1450, Alexandria, VA 22313-1450.		
Transmitted by facsimile on the date shown below to the United States Patent and Trademark		
Office as (571) 273-8300.		
Date	Signature	
	Diana Dearing	
	Typed or printed name of person signing certificate	
L		



Applicant:

Michael Giardello et al.

Docket No.:

014518-0261607

Serial No.: Filing Date:

09/312,811 May 17, 1999 Group Art Unit: Examiner:

Teskin, Fred M.

1713

For:

POLYOLEFIN COMPOSITIONS OPTIONALLY HAVING VARIABLE

TOUGHNESS AND/OR HARDNESS

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the decision on petition mailed January 22, 2007, Applicant encloses for filing a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

Pursuant to the decision, no further fees are due. Please see the previously submitted Amendment and Request for Continued Examination filed with the previous Petition to Revive on October 4, 2006.

Please date-stamp and return the enclosed postcard as confirmation of receipt of the above materials. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account Number 03-3975.

Date: February 5, 2007

Respectfully submitted,

David H. Jaffer

Reg. No. 3/2,24.

Customer No. 27498

PILLSBURY WINTHROP SHAW PITTMAN LLP

Intellectual Property Group

P. O. Box 10500

McLean, VA 22102

Tel. No. (650) 233-4510

Fax No. (703) 770-7901

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in an envelope addressed to: MAIL STOP PETITION, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on February 5, 2007, by Diana Dearing.

Deana Dearing